

JOE WARDY
MAYOR



CITY COUNCIL

SUSAN AUSTIN
DISTRICT NO. 1

ROBERT A. CUSHING, JR.
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO
DISTRICT NO. 3

JOHN F. COOK
DISTRICT NO. 4

DANIEL S. POWER
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

VIVIAN ROJAS
DISTRICT NO. 7

ANTHONY W. COBOS
DISTRICT NO. 8

REGULAR COUNCIL MEETING
COUNCIL CHAMBERS
SEPTEMBER 23, 2003
9:00 A.M.

The City Council met in regular session at the above place and date. Mayor Joe Wardy present and presiding and the following Council Members answered roll call: Susan Austin, Robert A. Cushing, Jr., Jose Alexandro Lozano, John Cook, Daniel S. Power, Paul J. Escobar, Vivian Rojas and Anthony W. Cobos. Absent: None. Meeting was called to order and the invocation was given by Chaplain Carlos Flores, followed by the Pledge of Allegiance to the Flag of the United States of America, Mayor's Proclamations & Certificates.

MAYOR'S PROCLAMATION

1. *Lighthouse for the Blind Day*

No action was taken on the presentation and discussion regarding "Source El Paso", a comprehensive directory of all businesses in El Paso, and other business resources and services made available to small businesses through the Greater El Paso Chamber of Commerce's One Stop Business Resource Center. [John Fields]

Mr. John Fields, Greater El Paso Chamber of Commerce's One Stop Business Resource Center, explained that the Business Resource Division of the Greater El Paso Chamber of Commerce provides assistance to small business by offering 1. access to information; 2. access to customers; and 3. access to capital and demonstrated the Greater El Paso Chamber of Commerce's Source for El Paso database listed on the internet <http://www.elpaso.org>. He invited Council Members and the public to visit the Greater El Paso Chamber of Commerce "One Stop Business Resource Center" located at 1359 Lomaland and answered questions and responded to comments made by Representatives Austin, Lozano, and Cobos.

Motion made by Representative Escobar, seconded by Representative Cushing and unanimously carried to deny the request by the El Paso School of Excellence for reconsideration of City Council approval on November 12, 2002, of the sale of alcoholic beverages by Super Store #10 (Moshe Yardeni) at 1603 George Dieter. [J. L. Lewis dba El Paso School of Excellence]

Representative Cook stated that he would abstain from the discussion and vote, as he is a Board Member of the El Paso School of Excellence.

Mr. J. L. Lewis, El Paso School of Excellence, explained that the previous administration had approved the selling of alcoholic beverages less than 90 feet from the middle school and 300 feet from the elementary school and asked the current administration to rescind the Ordinance approved November 12, 2002. He provided copies of a petition signed by individuals opposing the selling of alcohol.

Representative Cushing noted that a convenience store was selling alcohol at the time the school was being built.

Mr. Lewis responded that the convenience store had been closed for over 1½ years and added that the School of Excellence was interested in purchasing that structure.

Representative Escobar noted that a probation office was currently located within the same shopping center as the school and suggested that the School of Excellence purchase property in another location that would be large enough to accommodate the students.

Mr. Lewis responded to comments made by Representative Escobar and added that the School of Excellence was considering purchasing property located elsewhere in the City.

Ms. Lisa A. Elizondo, City Attorney, stated that it was the opinion of the Legal Department that Council Members did not have the discretion to comply with Mr. Lewis' request to rescind the Ordinance.

No action was taken on the discussion and action on a proposed street name change that would change 6th street (from Stanton to El Paso Streets) to Gus Massey Street. Would request that this be a City initiated application. [Gus Massey, Jr.]

Mr. Gus Massey, Jr., requested that the City initiate an application for street name change on 6th street from Stanton to El Paso to "Gus Massey".

Representative Cobos suggested that Mr. Massey meet with him to discuss the matter further.

Representative Austin noted that the City of Boston renames street intersections after individuals.

Representative Cook questioned whether or not Mr. Massey had consulted with developers regarding naming a street after his father.

Mr. Massey responded that the family was interested in a more central location, downtown, for the street re-naming.

No action was taken on the presentation of a plaque in gratitude to the Honorable Mayor Joe Wardy on behalf of the Ysleta Gun Club members. [Frank Carrillo, Ysleta Gun Club]

Mr. Frank Carrillo, Ysleta Gun Club, explained that the Gun Club had recently hosted the 2003 Texas State Shooting Championship and added that the Mayor had fired the first shot.

Mayor Joe Wardy congratulated the Gun Club for hosting a first rate event and noted that shooters from as far away as Canada were present.

Motion made, seconded and unanimously carried to postpone one (1) week the discussion and action on the request of El Paso Bench Ads of El Paso, Inc. for an extension to its bus bench franchise which expires December 7, 2003. [David Escobar]

motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried to approve, as revised, all matters listed under the Consent Agenda unless otherwise noted. Items approved, postponed, or deleted pursuant to the vote on the Consent Agenda will be shown with an asterisk (*)).

*Motion made, seconded and unanimously carried to approve the Minutes for Regular City Council Meeting of September 16, 2003 and corrected Minutes for Regular City Council Meeting of July 29, 2003; Legislative Review Committee of the Whole Meeting of August 11, 2003; and Special City Council Meeting of September 8, 2003.

.....
***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a First Amendment to Airline Operating Agreement and Terminal Building Lease between the City of El Paso and Air Wisconsin Airlines Corporation for the purpose of extending the term to April 30, 2004.

.....
***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement for Appraisal Services not to exceed Two Thousand Five Hundred and No/100ths (\$2,500.00) Dollars between the City of El Paso and Gayle-Reid Appraisal Services, Inc., for the appraisal of the following City-owned property:

A portion of Tract 23D, Block 38, YSLETA GRANT
City of El Paso, El Paso County, Texas
Former Julian Telles Senior Center, 8909 Old County Line Road.

.....
***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Five Thousand One Hundred Fifty And No/100ths Dollars (\$5,150.00-\$985 Grant/\$4,165 Loan) against the following described real property:

Tract 600, Loma Terrace No. 5a, Section 3, an Addition to the City of El Paso, according to the plat thereof on file in Volume 3, Page 49, Real Property Records, El Paso County, Texas, also known and numbered as 1221 Lomaland, El Paso, Texas 79907.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City.

.....
***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Ten Thousand One Hundred And No/100ths Dollars (\$10,100.00-\$2,100 Grant/\$8,000 Loan) against the following described real property:

Lot 24, Block 23, Sun Valley Addition Section Three, an Addition to the City of El Paso, according to the plat thereof on file in Volume 10, Page 40, Real Property Records, El Paso County, Texas, also known and numbered as 5212 Debeers, El Paso, Texas 79924.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

.....

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute a Lead-Based Paint Hazard Control Program Grant Agreement in the amount of \$721,200 for the period of September 1, 2003, to August 31, 2006, with the United States Department of Housing and Urban Development (HUD), on behalf of the City of El Paso, in the event that this grant is awarded to the City. The Lead-Based Paint Hazard Control Program Grant Application was submitted by the City to HUD on June 3, 2003.

Funds for the City's in-kind matching contribution of \$245,585 are available in the Community Development Block Grant Housing Revolving Loan Fund Dept. ID: 71150039, Grant: 710RLFCDH, Fund: 09903, Financial Location: 71000 and the HOME Program FY2004 Dept. ID: 71150036, Grant: G7104HM, Fund: 09757, Financial Location: 71000.

.....
Motion made, seconded and unanimously carried to move to the regular agenda the following:

R E S O L U T I O N

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the following project be adopted as a Fiscal Year 2003 HOME project and designated for HOME funding in the amounts shown below as recommended by the Director of Community and Human Development and that the City Comptroller be authorized to issue checks in the amounts shown below for the approved application:

Housing Authority of the City of El Paso	HOME Loan: \$774,360.00
Address: 119 W. Nevada (79902)	
Interest at -0-%	

AND THAT the Mayor be authorized to sign all appropriate closing documents after the project has been bid and the construction contract has been awarded, to include a HOME Financial Terms Contract and a Builder's and Mechanic's Lien and Deed of Trust (with Power of Sale) between the City, the Housing Authority of the City of El Paso, Texas, and the selected construction contractor relating to this rehabilitation project.

Ms. Debbie Hamlyn, Director of Community & Human Development, explained that the project would involve rehabilitation of three dilapidated interconnected buildings and commented on the financial aspects of the project. She recommended approval of the project and noted that the project was the first between the City and the Housing Authority.

Representative Cook stated that there was a great social need for the project and commended the parties for their involvement.

Representative Cushing questioned the term "single room occupancy".

Ms. Hamlyn clarified that the units were similar to an efficiency.

Mr. Al Velarde, Housing Authority representative and a former El Paso Police Department employee, explained that Point of Angels project was designed for homeless individuals; however, 10 units would be set aside for UTEP and/or EPCC students. He noted that the majority of the units would have private bathroom facilities; however, some units would share a bathroom. He explained that there would be a main kitchen facility on the main floor; however, the units would contain a mini-refrigerator.

Mayor Joe Wardy commented on his recent discussion with HUD Secretary and added that HUD would be compiling a technical team that would bring to El Paso their newest processes, specifically public/private partnerships.

Mr. Mark Kneip, Acting Division Director of Technical Services, thanked the Council Members for their support.

WHEREAS, the objectives of the Combined Charities Campaign include the implementation of a procedure for the solicitation of charitable donations from City Employees and the establishment of eligibility criteria for charitable organizations, which will be the recipients of these donations; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

- | <u>Individual</u> | <u>Position</u> | <u>Department</u> |
|----------------------|--------------------------------|--------------------------------|
| Hugh Pankratz | Disbursements Supervisor | Comptrollers |
| George Phillips | Chief Building Inspector | Building Permits & Inspections |
| Aracelli Blanca Dyer | Secretary III | Information Technology |
| Clifton Walsh | Acting Deputy Chief | Police Department |
| Greg Muncy | Captain | Fire Department |
| John F. Nance | Assistant City Attorney | Office of the City Attorney |
| Carmen Hernández | Library Information Supervisor | Library |
| Mario Tena | Volunteer Coordinator | Police Department |
| Mario Hernández | Health Education Specialist | City County Health District |

Jesse Rodelas
Patrick Chavez

Collections Clerk II
Campaign Manager

Tax
United Way Campaign

3. That Mario Hernández shall be designated as chairperson of the Committee.

.....
***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Consultant Services Agreement by and between the **CITY OF EL PASO** and **ENCON INTERNATIONAL, INC.** for environmental engineering services for a period of two (2) years in an amount not to exceed SIX HUNDRED THOUSAND AND 00/100 DOLLARS (\$600,000.00).

.....
***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT pursuant to the Texas Public Funds Investment Act, Chapter 2256 of the Texas Government Act, the City of El Paso hereby adopts a written investment policy revised for the latest changes in state and local laws.

.....
***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign the following special events agreement for space in the El Paso Museum of Art. Licensee is requesting permission to serve alcohol in the premises.

Event: Reception
Licensee: World Trade Center El Paso/Juarez
Date: November 4, 2003
Time: 5:30 p.m. - 7:30 p.m.
Area(s): Gallery Lobby
Charge for Space: \$500
Charge for Staff (est.): \$140.00
Charge for Insurance: \$48.00

.....
***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign the following special events agreement for space in the El Paso Museum of Art. Licensee is requesting permission to serve alcohol in the premises.

Event: Reception
Licensee: Southwest Association of Hispanic American Physicians
Date: November 6, 2003
Time: 7:00 p.m. - 9:00 p.m.
Area(s): Lobby
Charge for Space: \$400.00
Charge for Staff (est.): \$280.00
Charge for Insurance: \$48.00

*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Director of the El Paso Museum of Art be authorized to apply to the Meadows Foundation for a \$491,800 grant to fund the Museum Education Outreach Program for three years and that the Mayor be authorized to sign any required contracts and related documents accepting a grant for such amount or for any lesser amount approved by the Meadows Foundation. No City funds are required to match this grant.

*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following **EMPLOYEE CONTRACTOR** contract on behalf of the **PARKS AND RECREATION DEPARTMENT**. Funding for this contract is in fiscal year **2003/2004** appropriations to be approved by the City Council and the Civil Service Commission.

GALATZAN RECREATION CENTER

DEPARTMENT ID: 51510131, ACCOUNT: 501011

1. CONTRACTOR: Luz de Lourdes Calderon, Assistant Daycare Instructor, Step 2
 DATES: September 24, 2003 through August 31, 2004
 RATE PER HR: \$5.90
 CONTRACT NO: **2003/2004-085**

*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following **EMPLOYEE CONTRACTOR** contract on behalf of the **PARKS AND RECREATION DEPARTMENT**. Funding for this contract is in fiscal year **2003/2004** appropriations to be approved by the City Council and the Civil Service Commission. [Parks and Recreation, Ray Cox, (915) 541-4331]

PAVO REAL RECREATION CENTER

DEPARTMENT ID: 51510115, ACCOUNT: 501011

1. CONTRACTOR: Gabriela Chavez, Daycare Instructor, Step 1
 DATES: September 24, 2003 through March 1, 2004
 RATE PER HR: \$6.45
 CONTRACT NO: **2003/2004-086**

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement with CAMP, DRESSER & MCKEE, INC. to provide Three (3) 32 Gallon Containers and Ten (10) 8 Gallon Baskets for a service fee of \$5.00 for each month for the purpose of collecting the company's recyclable materials in conjunction with the Department of Solid Waste Management's recycling program.

*NOTICE OF PUBLIC HEARING

To All Interested Parties:

You are hereby notified that at 9:00 a.m. on the 28th day of October, 2003 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 7929 Mansfield Avenue, in El Paso, Texas, which property is more particularly described as:

Lot: 12, Block C, Christy Tract Subdivision

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Jose Lopez Castillo and Maria Lidia Corral de Lopez, Calle Efren Ornelas 1245, Ciudad Juarez, Chihuahua 32317-0000 and Jose Lopez Castillo and Maria Lidia Corral de Lopez, 7929 Mansfield Avenue, El Paso, Texas 79915, are listed as the Owners of the real property described herein.

The Owners of said property are hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owners, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring the building into compliance with Titles 17 and 18 of the code as mandated by Section 18.52.040 of the Municipal Code, and to specify the time it will take to reasonably perform the work.

At the hearing, the owners, lien holders, mortgagees, or any other person having an interest in the property must present to City Council any evidence showing that the structure or part thereof is safe.

All documents such as building plans, specifications, drawings, reports from design professionals and any other required documents must be presented to City Council at this hearing.

The time periods, which govern the completion of work ordered by Council, are outlined in Subsection 18.52.040 (3) pursuant to State law.

If the Owners fail, neglect or refuse to comply with the order of City Council the City may pursue one, or more of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owners, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owners for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owners show that the property is the Owner's lawful homestead and;
- III) the Owners may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owners and all other persons having an interest in the property as provided by law.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Permits and Inspections, 5th floor, City Hall, no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

.....
*Motion made, seconded and unanimously carried to approve the request to fill the following positions on a temporary basis in accordance with Article VI, Section 6.6-3, of the Civil Service Charter Provisions:

- A. Custodial Worker (1)
- B. Recreation Leader II (1)

.....
*Motion made, seconded and unanimously carried to approve the following provisional appointments in accordance with Article VI, Section 6.6-2, of the Civil Service Charter Provisions:

- A. Equipment Operator II (1)
- B. Police Chief (1)

.....
Motion made by Representative Cook to move to the forefront and Regular Agenda the appointment of Richard D. Wiles as Interim Police Chief, effective September 29, 2003.

Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried that Richard D. Wiles be appointed Interim Police Chief, effective September 29, 2003 at an annual salary of \$112,000.

NOTE: Item was revised from "effective September 30, 2003" to "effective September 29, 2003".

Mayor Joe Wardy introduced Richard D. Wiles as the Interim Police Chief.

Assistant Police Chief Wiles thanked the Mayor and Council Members for their support and approval of his Interim Police Chief appointment. He promised to continue the fine work accomplished by Chief Leon, specifically area policing, and thanked the citizens for their cooperation with the Department. He stated he has been a Police Department employee for 21 years, Assistant Police Chief for 4½ years.

.....
*Motion made, seconded and unanimously carried to re-appoint Ruben Ponce, Jr. to the City Plan Commission by Representative Paul J. Escobar.

.....
*Motion made, seconded and unanimously carried to postpone one (1) week the re-appointment of Thomas C. Balsiger to the Airport Board by Representative John F. Cook.

.....
*Motion made, seconded and unanimously carried to delete the appointment of Walter E. Townsend to the Information Technology Advisory Board by Representative John F. Cook.

.....
*Motion made, seconded and unanimously carried to approve installation, power, and maintenance of residential street lights at the following locations:

- A. Sun Valley Street at Newport Street at a cost of Eight Hundred Ninety-Nine Dollars (\$899.00).
- B. Sun Valley Street at Newcastle Street at a cost of Eight Hundred Ninety-Nine Dollars (\$899.00).

*Motion made, seconded and unanimously carried that the following installment agreements for AD VALOREM taxes be approved in the amount shown and that the Mayor be authorized to sign said agreements on behalf of the City:

- A. PID #C231-999-0260-5300, \$399.68 per month installments on a balance of \$4,796.16 for 2001 & 2002 taxes; Jose N. & Maria H. Ramirez – 4501 Sky Hawk Ave.
- B. PID #M425-999-0360-4300, \$213.38 per month installments on a balance of \$3,840.84 for 2001 & 2002 taxes; Manuel & Rosa E. Bernal – 5340 Juliandra Ave.
- C. PID #V893-999-0730-1100, \$186.57 per month installments on a balance of \$6,716.52 for 2000 & 2001 taxes. Thomas E. & Esperanza Costantino – 1912 Anise.
- D. PID #V893-999-1760-0300, \$510.53 per month installments on a balance of \$3,573.71 for 2001 & 2002 taxes; Armando Chavarria – 1827 Russ Randall.
- E. PID #V893-999-3610-3900, \$171.93 per month installments on a balance of \$2,063.16 for 2002 taxes; Gilberto Erives, Jr. – 11856 Emily.
- F. PID #V893-999-5680-2800, \$138.85 per month installments on a balance of \$2,499.30 for 2002 taxes; Samuel Villarreal, Jr., – 1197 Amber Morgan.
- G. PID #WV418-999-0050-2690, \$427.63 per month installments on a balance of \$5,131.56 for 2002 taxes; Amado & Patricia Cintron – 4449 Valley Willow.

.....
Motion made, seconded and unanimously carried to move to the regular agenda the request approval for the Director of Purchasing to exercise the City's option to extend Contract No. 2002-087C between the City of El Paso and Akal Security, Española, NM, to provide Security Guard Services for the El Paso International Airport (for twelve additional months) starting May 1, 2005, and ending April 30, 2006.

Motion made by Representative Cook, seconded by Representative Power and unanimously carried to postpone one (1) week the following: Request approval for the Director of Purchasing to exercise the City's option to extend Contract No. 2002-087C between the City of El Paso and Akal Security, Española, NM, to provide Security Guard Services for the El Paso International Airport (for twelve additional months) starting May 1, 2005, and ending April 30, 2006.

Department: Department of Aviation
Funds available: 6260009-502212
Funding source: Airport Operating Fund
Total amount: \$548,000.00 (estimated annually)

Representative Cobos stated he had met with the management of Akal Security and noted that the company had two offices located in El Paso.

Mr. Michael Redman, Regional Manager Akal Security, commented on utilizing a local bank for the company's payroll matters. He provided information regarding the security service and answered questions from the Representatives.

Representative Cook asked that the matter be postponed for one week as he would like to meet with Mr. Abeln to discuss the matter.

.....
*Motion made, seconded and unanimously carried to award Bid No. 2003-204 Fire Hose & Fittings

Award to: Vendor 1: First In, Inc.
El Paso, Texas
Item (s): Part A, #1 and #2
Amount: \$15,000.00 (estimated annually)

Item (s): Part B, #1 & #2
Amount: \$10,000.00 (estimated annually)

Vendor #1 offers the City the option to extend the term of the contract at the same unit prices for two (2) additional years if the option is exercised within two years from the date of the award.

This is a Requirements Type Contract with an initial term of Twenty-Four months.

*Motion made, seconded and unanimously carried to approve budget transfer BT2004-009 BUILDING AND PLANNING SERVICES

Building and Planning Services proposes to transfer \$200,000 to fund the City's share of Gomez Road extension. Funding source is previously issued CO's.

Increase	\$200,000.00	to	31260001/PPW002800860637/508027	Const
Decrease	\$200,000.00	from	04252003/PMB000413027260/508006	Vehicle
Increase	\$200,000.00	to	31260001/PPW002800860637/407000	IntfdTrf
Decrease	\$200,000.00	from	31250202/PPW002800127214/508027	Const
Increase	\$200,000.00	to	31250202/PPW002800127214/507000	IntfdTrf
Increase	\$200,000.00	to	04252003/PMB000413027260/507000	IntfdTrf
Increase	\$200,000.00	to	04250201/PMB000213027203/407000	IntfdTrf
Increase	\$200,000.00	to	04250201/PMB000213027203/508006	Vehicle

*Motion made, seconded and unanimously carried to approve budget transfer BT2004-010 BUILDING AND PLANNING SERVICES

Building and Planning Services proposes to transfer \$1,700,000 to fund construction of Edgemere extension. Funding source is previously issued CO's.

Increase	\$1,700,000.00	to	31260001/PPWST0302260633/508027	Const
Decrease	\$1,700,000.00	from	04252003/PMB000413027260/508006	Vehicle
Increase	\$1,700,000.00	to	31260001/PPWST0302260633/407001	IntfdTfr
Increase	\$1,700,000.00	to	04252003/PMB000413027260/507001	IntfdTfr
Decrease	\$ 600,000.00	from	31250102/PPW003000127174/508027	Const
Increase	\$ 600,000.00	to	31250102/PPW003000127174/507001	IntfdTfr
Increase	\$ 600,000.00	to	04250101/PMB000113027165/407001	IntfdTfr
Increase	\$ 600,000.00	to	04250101/PMB000113027165/508006	Vehicle
Decrease	\$ 250,000.00	from	31250202/PPW002800127214/508000	Land
Decrease	\$ 36,224.12	from	31250202/PPW002800127214/508024	Test
Decrease	\$ 577,204.94	from	31250202/PPW002800127214/508027	Const

Decrease	\$ 236,570.94	from	31250202/PPW002800127214/508050	Design
Increase	\$1,100,000.00	to	31250202/PPW002800127214/507001	IntfdTrf
Increase	\$1,100,000.00	to	04250201/PMB000200127203/407001	IntdTrf
Increase	\$1,100,000.00	to	04250201/PMB000200127203/508006	Vehicle

.....

*Motion made, seconded and unanimously carried to approve the request of Sun Bowl Association to hold the Las Palmas Del Sol Sun Bowl Parade on November 27, 2003 from 1:00 a.m. to 4:00 p.m. Route: Start on Montana Street from Mesa to North/South Freeway service road. Approximately 3,000 persons, 150 vehicles, 40 animals will take part and 275,000 spectators are anticipated. This request includes permission to use amplification (several floats may have sound equipment capable of being to the curb of the route). Costs for services provided by City Police, Fire, Emergency Medical System and Street Departments will be reimbursed to the City for an amount not to exceed \$28,000. Said reimbursement is pursuant to an agreement entered into by the City and the Sun Bowl Association on April 22, 2003. PERMIT NO. 03-133 [Bernie Olivas]

.....

*Motion made, seconded and unanimously carried to approve the request of YMCA of Greater El Paso to hold a Turkey Trot Run/Walk on November 27, 2003 from 6:00 a.m. to 9:00 a.m. Route for walk: Start at Montana and Ochoa, proceed on Montana to Cotton, turn left on Cotton, and turn back around to Montana and Ochoa. Route for run: Start at Montana and Ochoa, proceed on Montana to Williams, turn left on Williams to Rio Grande, turn right on Rio Grande to Magnolia, turn back around and finish at Montana and Ochoa. Approximately 800 persons will take part and 200 spectators are anticipated. PERMIT NO. 03-129 [Bill Coon]

.....

*Motion made, seconded and unanimously carried to approve the request of Burges High School to hold a homecoming parade on October 1, 2003 from 6:00 p.m. to 7:00 p.m. Route: Start at W.H. Burges High School parking lot to Edgemere, turn right on Edgemere to Hawkins, turn left on Hawkins to Edgemere, turn left on Edgemere and finish at the school's parking lot. Approximately 450 persons, 25 vehicles and 7 floats will take part and 500 spectators are anticipated. PERMIT NO. 03-137 [Carol Jarman]

.....

*Motion made, seconded and unanimously carried to approve the request of Del Valle High School to hold a homecoming parade on October 9, 2003 from 6:00 p.m. to 7:00 p.m. Start at the corner of Kerner St. and Betel, proceed on Betel to Bordeaux (approximately 1 mile), turn right on Bordeaux and finish at Del Valle High School's Conquest Stadium. Approximately 500 persons, 60 vehicles will take part and 1500 spectators are anticipated. This request includes permission to use amplification (3 bullhorns). PERMIT NO. 03-132 [Cindy Spitz]

.....

*Motion made, seconded and unanimously carried to approve the request of Irvin High School to hold a parade on October 16, 2003 from 6:00 p.m. to 7:00 p.m. Route: Start at Irvin High School Parking lot, turn right on Sanders, right on Roanoke, right on Joe Herrera, right on Shoppers, right on Sanders, end at Irvin High School parking lot. Approximately 300 persons, 15 vehicles will take part and 500 spectators are anticipated. PERMIT NO. 03-131 [Allen M. Wright]

.....

*Motion made, seconded and unanimously carried to approve the request of Alicia Delgado to block off San Martin at Glenwood for a block party on October 4, 2003 from 6:00 p.m. to 1:00 a.m. Approximately 200 persons will take part. Barricades must be manned according to the States "Manual of Uniform Traffic Control Devices". This request includes amplification (1 amplifier-500 watts and 4 speakers-500 watts). PERMIT NO. 03-140 [Alicia Delgado]

.....

*Motion made, seconded and unanimously carried to approve the request of Mountain View Baptist Church to use amplification (2 amps (speakers) and 4-8 microphones) at Tobin Nations Park on September 27, 2003 from 11:00 a.m. to 4:00 p.m. Approximately 300-1,500 persons will take part and 500 spectators are anticipated. PERMIT NO. 03-145 [Pastor Gib Allen]

.....

Representative Cook questioned the cost of the project.

Mr. Ray Cox, Director of Parks and Recreation, responded approximately \$750,000.00

Representative Cobos questioned why the project was moved forward and commented that other neighborhood associations may request that their projects be moved forward.

Ms. Adatao stated that the project had met the guidelines adopted by Council and that the BOAC recommended that the project be moved forward as meeting guideline requirements step A. change in priority has no negative impact on finances within that program year; and step B. there is a significant cost savings and that the project further improves public safety.

Representative Cook concurred with comments made by Representative Cobos.

Representative Power explained that the subdivision was now fully developed and that the area in question would provide recreation for those residing in the area.

Ms. Teresa Quezada, Municipal Services Administration Assistant Director, explained the cost savings and noted that illegal dumping was occurring on the specific property.

Representative Escobar asked that Council Members support the matter.

Representative Cobos suggesting postponing the matter one week and requested that the newly appointed Project Manager be present.

Representative Austin noted that the City staff and BOAC had been working on the matter for some time.

Mr. Jim Martinez, Chief Administrative Officer, explained that based on Council Member's instructions and City staff recommendations, the Project Manager would then implement those instructions/recommendations.

Representative Cobos requested that on future Quality of Life Bond projects, members of City staff and the Project Manager be in harmony and present for Council Member questions.

Ms. Adatao explained that the Program Manager contract became effective September 11, 2003; however, on future Quality of Life Bond Projects, both City staff and the Program Manager would be present.

.....
Motion made by Representative Cushing, seconded by Representative Power and unanimously carried to approve Conditional "B" building permits for Ridge View Estates Unit 22 Phase I based on the finding of public benefit.

Mr. Gonzalo Cedillos, City Engineer, explained that the developer was requesting Conditional "B" building permits due to public benefit.

Mr. Arnold Parish, representing the developer, was present to answer Council Members' questions and noted that the developer would construct the street fronting the parcel.

Representative Power commented on a flaw in the Ordinance language regarding Certificates of Obligation allowing the opening of schools, rights-of-way and other issues.

.....

Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried to authorize the Department of Planning, Research and Development to process an application on behalf of the Fire Department to place a Historic-Overlay on the property at 331 South Santa Fe legally described as 32 Mills Addition, 50' on Santa Fe X 120' on Paisano Sec; and to waive process fees for such.

Representative Cobos explained that the Fire Department Museum would be located on "Museum Row" along with the History Museum, Holocaust Museum and others.

Assistant Fire Chief Michael Widtfelt added that the Fire Station located at 331 South Santa Fe would be the anchor of "Museum Row" and added that the museum would hold on-going training events and house some of the oldest fire equipment in the nation.

.....
No action was taken on the discussion and action to direct City staff to prepare a Master Drainage Study for the Upper Valley Area as recommended by the City Plan Commission.

Mayor Joe Wardy questioned whose idea this was and from what budget would the monies be taken.

Mr. Ed Drusina, Deputy Chief Administrative Officer for Municipal Services, responded that the City Plan Commission had requested that the matter be brought before Council Members and added that the idea of a Master Drainage Study was from City staff members. He stated that the funding of the Master Drainage Study had not been identified. He added that he would like to move this project, in addition to other areas of the City requiring a Master Drainage Study projects, to Capital Improvement Projects (CIP).

Mayor Wardy responded that a proposed \$500,000,000 Bond election for CIP would be held in February and noted that the Master Drainage Study would cost an estimated \$1,500,000.00.

Representative Austin urged City staff to address FEMA to move forward on revising their flood maps.

Mr. Jim Martinez, Chief Administrative Officer, explained that he had been in contact with FEMA regarding the revising of the flood maps and stated that FEMA does not have the funding to revise their flood maps.

.....
Motion made, seconded and unanimously carried to move to the end of the regular agenda the public hearing to receive public comments regarding the proposed use of a grant award in the amount of \$362,768.00 to the City of El Paso Police Department under the Local Law Enforcement Block Grant from the U.S. Department of Justice, Bureau of Justice Assistance, for the purpose of purchasing hardware, software and related equipment to support the Police Department's new records management system.

Commander Cliff Walsh, El Paso Police Department, stated that the Police Department had held two previous public hearings on the matter and offered the public the opportunity to make comments at this time. He explained that the local newspaper had advertised the item would be heard at the end of the Regular business of City Council meeting; therefore he requested the item be moved.

The City Clerk called for public comment. There was no public comment.

Motion made by Representative Cook, seconded by Representative Cushing and unanimously carried to close the public hearing to receive public comments regarding the proposed use of a grant award in the amount of \$362,768.00 to the City of El Paso Police Department under the Local Law Enforcement Block Grant from the U.S. Department of Justice, Bureau of Justice Assistance, for the purpose of purchasing hardware, software and related equipment to support the Police Department's new records management system. Representative Escobar was not present for the vote.

.....

Motion made, seconded and unanimously carried to move to the end of the regular agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That having conducted a public hearing in order to receive public comments regarding the proposed use of the grant award payment in an amount that will not exceed \$362,768.00 to the City of El Paso Police Department under the Local Law Enforcement Block Grant from the U.S. Department of Justice, Bureau of Justice Assistance, for the purpose of purchasing hardware, software and related equipment to support the Police Department's new records management system, the funds be obligated; and that the Mayor be authorized to sign and submit documentation to the U.S. Department of Justice relating to the public hearing and the expenditure of the funds.

There being no further public comment, the vote was taken.

Motion made by Representative Cook, seconded by Representative Cushing and unanimously carried to approve the above Resolution. Representative Escobar was not present for the vote.

.....
ORDINANCE 15561

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.150 (SCHEDULE XIV, SPEED LIMITS), OF THE EL PASO MUNICIPAL CODE TO TEMPORARILY REDUCE THE EXISTING SPEED LIMIT OF 70 M.P.H. TO 55 M.P.H. ON INTERSTATE 10 IN BOTH DIRECTIONS FROM 240 FEET NORTH OF MILEPOST 5 TO 1550 FEET NORTH OF MILEPOST 8 FOR THE DURATION OF CONSTRUCTION OF THE INTERSTATE 10 AND TRANSMOUNTAIN ROAD LOOP 375 INTERCHANGE PROJECT. THE PENALTY BEING AS PROVIDED IN SECTION 12.84.010 OF THE E EL PASO MUNICIPAL CODE.**

There being no public comment, the vote was taken.

Motion duly made by Representative Austin, seconded by Representative Escobar, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Power, Escobar and Rojas

NAYS: None Absent: None

Representative Cobos was not present for the vote.

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
ORDINANCE 15562

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.030 (SCHEDULE III - PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS) TO ADD AND NEW LOCATIONS ON ESTHER LAMA DRIVE FROM ZARAGOZA ROAD EAST TO PULLMAN DRIVE, SOUTH SIDE ONLY AND FROM ZARAGOZA ROAD TO A POINT 225 FEET EAST THEREOF, NORTH SIDE ONLY. THE PENALTY AS PROVIDED IN SECTION 12.84.010 OF THE EL PASO MUNICIPAL CODE.**

Mr. Ted Marquez, Traffic Engineer Division Manager – Engineering, explained that the adjacent property owner had requested that parking be prohibited at the above noted locations due to the extreme traffic congestion during the delivery of the new cars at the dealership.

Motion duly made by Representative Escobar, seconded by Representative Power, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Power, Escobar, Rojas and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
ORDINANCE 15563

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO CREATE THE CLASS OF INTERNATIONAL COACH OPERATOR.**

Ms. Terry A. Bond, Director of Human Resources, stated that in the future City buses may drive into Ciudad Juarez which would require the International Coach Operators positions. She added that the positions would pay 5% higher than the Coach Operators who drive the City's streets.

Representative Cushing commented on the "Special Requirements" for the position.

Mr. Terry Lee Scott, Director of Mass Transit, was unable to address Representative Cushing's comment.

Motion duly made by Representative Cushing, seconded by Representative Cobos, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Power, Escobar, Rojas and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
ORDINANCE 15564

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE CITY OF EL PASO TO ENTER INTO A JOINT USE AGREEMENT WITH GOVERNMENT EMPLOYEES CREDIT UNION OF EL PASO FOR THE PURPOSE OF DEVELOPING A PLAN FOR CONSTRUCTING AND UTILIZING A PARKING LOT AT PONDER PARK AT 7500 W. H. BURGESS DRIVE, EL PASO, EL PASO COUNTY, TEXAS.**

Representative Austin questioned the contract language and asked that the language be clarified specifically addressing the cost of construction and liability.

Mr. Ray Cox, Director of Parks and Recreation, noted that the Government Employees Credit Union would be paying for the cost of construction and design.

Mr. John Nance, Assistant City Attorney, explained the legalities of the contract addressing construction cost and liabilities.

Representative Lozano thanked the GECU for their cooperation and explained that the GECU employees would utilize the parking lot during the week and the City would be use the parking lot on weekends.

Mr. Nance clarified that the parking lot would be shared on a first come, first serve basis.

Mr. Cox stated that Ponder Park was approximately 25 acres in size and the parking lot would be less than two acres.

Mayor Joe Wardy requested that construction of new parks include the costs for parking and restroom facilities.

Representative Cobos thanked the Government Employees Credit Union for expending the capital outlay, design and expenditures.

Mr. Al Perez, Government Employees Credit Union, thanked Representative Lozano for his assistance and added that GECU was glad

Mayor Joe Wardy thanked Government Employees Credit Union for their exemplary corporate citizenship.

Motion duly made by Representative Lozano, seconded by Representative Cushing, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Power, Rojas and Cobos

NAYS: None Absent: None

Representative Escobar was not present for the vote.

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....
*Motion made, seconded and unanimously carried to postpone one (1) week an Ordinance changing the zoning of Lot 10, Block 3, ALAMEDA ACRES, El Paso, El Paso County, Texas (125 N. Glenwood St.) from A-2 (Apartment) to C-4 (Commercial). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. ZC-03036. Applicant / Representative: Yun Ki Kim, 11149 Leo Collins, El Paso, TX 79936 (District 3) **THIS IS AN APPEAL CASE.**
.....

ORDINANCE 15565

The City Clerk read an Ordinance entitled: **AN ORDINANCE VACATING A PORTION OF GLENWOOD DRIVE ADJACENT TO BLOCKS 1 AND 2, ALAMEDA ACRES, MAP OF HUGHES SUBDIVISION, CITY OF EL PASO, EL PASO COUNTY, TEXAS.**

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Lozano, seconded by Representative Cushing, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Power, Rojas and Cobos

NAYS: None Absent: None

Representative Escobar was not present for the vote.

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

ORDINANCE 15566

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING A SPECIAL PRIVILEGE TO HOUSHANY SHIRAZI AND BAHRAM RAZY PERMITTING THE ENCROACHMENT ONTO PUBLIC RIGHTS-OF-WAY WITH THREE (3) ACCESSIBILITY RAMPS FOR PERSONS WITH DISABILITIES, ELEVEN (11) AWNINGS AND A PORTION OF THE BUILDING AT 520-524 SAN FRANCISCO AVENUE.**

Mr. Rudy Valdez, Chief Urban Planner, noted that the item had been recommended for approval.

Motion duly made by Representative Cobos, seconded by Representative Cushing, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Austin, Cushing, Lozano, Cook, Power, Rojas and Cobos

NAYS: None Absent: None

Representative Escobar was not present for the vote.

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

*Motion made, seconded and unanimously carried to postpone one (1) week an Ordinance amending Title 13 (Streets Sidewalks and Public Places), Chapter 13.20 (Miscellaneous Street and Sidewalk Use Regulations), Section 13.20.110 (Bus Bench Franchises) to revise provisions related to franchise terms and delete certain civil penalties for illegal bus benches.

RESOLUTION

WHEREAS, the Interim Director for Building Permits and Inspections and the Fire Marshal of the City of El Paso have conducted an investigation and have reported to the City Council in writing that they are of the opinion that the structure located on the property at 1419 E. Yandell Drive, in El Paso, Texas, which property is more particularly described as follows:

Lots: 28 & 29, Block 61, Franklin Heights Addition, an Addition to the City of El Paso, El Paso County, Texas

is dilapidated, substandard, and unfit for human habitation; is a hazard to public health, safety, and welfare; does not meet the minimum standards for continued use and occupancy contained in Titles 17 and 18 of the Municipal Code which are adopted and incorporated by reference into Section 18.52; and

WHEREAS, Ignacio and Silvia Arceo, 7546 Taxco Drive, El Paso, Texas 79915, record Owners, and all mortgagees and lienholders were duly notified according to law to appear at a public hearing before City Council at 9:00 a.m. on August 26th, 2003 which was postponed until September 23rd, 2003; and

WHEREAS, NO ONE, APPEARED,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That City Council having heard the evidence, makes the following findings:
 - a. That the structure located on said property is found to be substandard, unfit for human habitation or use, and therefore a hazard to the public health, safety, and welfare; and
 - b. That the structure is not in substantial compliance with municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and
 - c. The structure's certificate of occupancy is hereby revoked; and
2. That the City Council hereby orders Owners to comply with the following requirements:
 - a. That the fire damaged rear portion of the structure be demolished or repaired to meet the current code and requirements within 30 days; and
 - b. That the remaining structure be secured and maintained secured from unwanted entry within 30 days; and
 - c. That the premises be cleaned of all weeds, trash and debris within (30) days; and
 - d. That a public hearing be scheduled for October 29th, 2003, in the City Council Chambers, to determine if the Council order has been complied with and, if not, to determine penalties; and
 - e. That the Owners of said Building are hereby ordered to comply with all requirements of the Resolution; and
 - f. The owners are advised that in order to obtain a new certificate of occupancy, the entire building and its service systems must be brought into compliance with the current codes.
 - g. That upon failure of the Owners to comply with this Resolution, any mortgagees, lienholder, and other persons having an interest in the property have an additional ten (10) days to demolish or repair the rear fire damaged portion of the Building and maintain the Building secure and clean the premises of all weeds, trash, and debris; and
3. That upon failure of the Owners to comply with this Order, the City of El Paso through its Interim Director for Building Permits and Inspections shall demolish or repair the rear fire damaged portion of the Building and maintain the Building secure and clean the premises of all weeds, trash, and debris at its own expense, but for and on account of the Owners of said property; and
4. That said Owners shall become personally liable for all costs incurred by City in connection with demolishing or repairing the rear fire damaged portion of the Building and maintaining the Building secure and cleaning the premises of all weeds, trash and debris; and
5. That the costs incurred by the City in connection with demolishing or repairing the rear fire damaged portion of the Building and cleaning the premises of all weeds, trash, and debris shall become due and payable within thirty (30) days of the date of completion of the work and such cost shall be assessed as a lien against the property unless paid; and
6. That upon failure of the Owners to comply with this Order, one or all of the following actions will be taken:
 - a. The City will perform any and all work needed to bring the property into compliance with this order, at its own expense but for and on account of the Owners of said property, the cost of which shall be assessed as a lien against the property; and

- b. That upon failure of the Owners to comply with this order the City Council may assess a civil penalty against the property Owners in an amount not to exceed \$1,000.00 a day for each violation or, if the Owners show that the property is the Owner's lawful homestead, in an amount not to exceed ten (10) dollars a day for each violation; and
 - c. That upon failure of the Owners to comply with this order, the Owners may be confined in jail as permitted by state law; and
7. That upon failure of the Owners, any mortgagees or lienholders to restore the Building so that it complies with all relevant City Code requirements, the City of El Paso, if applicable, may bring an action in District Court to request appointment of a receiver for the rehabilitation of said property pursuant to Section 214.003 of the Texas Local Government Code; and
 8. The Owners, any mortgagees, or lienholders have a right to appeal these findings to a court of competent jurisdiction within ten (10) days after notice of this Resolution. The findings shall become final after ten (10) days of receipt of Notice; and
 9. That any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of assessment until paid in full; and
 10. That the City Clerk is ordered to cause copies of this Resolution to be served on the record Owners and all other persons having interest in the property as provided by law.

According to the real property records of El Paso County, you own the property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

Mr. Thomas Maguire, Building Permits and Inspections, presented case to Council Members and gave the department's recommendation(s).

Representative Cobos questioned whether or not any progress had been made on the property.

Mr. Maguire responded that the Powerpoint presentation slides were recently taken and that no progress on the property had been made. He explained that the new owner had requested more time to allow him to bring the structure up to City code.

Representative Austin questioned whether or not Mr. Arcey had received notice of today's public hearing.

Mr. Maguire responded yes.

Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to approve the above Resolution. Representative Escobar was not present for the vote.

.....
 *Motion made, seconded and unanimously carried to delete the public hearing to determine if the Council Resolution of July 22, 2003, for the property located at 5915 Cleveland Avenue, in the City of El Paso (legal description on file with the City Clerk) has been complied with and to determine penalties if the Council Resolution has not been complied with. The owners of this property, Francisco Lerma, Sr., c/o Jose R. Rodriguez, 5714 Kapilowitz, El Paso, Texas 79905, has been notified of the violations at this property. Delinquent taxes in the amount of \$31,759.03.

*Motion made, seconded and unanimously carried to delete the public hearing to determine if the Council Resolution of June 10, 2003, for the property located at 3501 Keltner Avenue, in the City of El Paso (legal description on file with the City Clerk) has been complied with and to determine penalties if the Council Resolution has not been complied with. The owners of this property, Sadeco, Inc., 3501 Keltner Avenue, El Paso, Texas 79904, have been notified of the violations at this property.

.....
*Motion made, seconded and unanimously carried to delete the public hearing to determine if the Council Resolution of July 22, 2003, for the property located at 3318 Alameda Avenue, in the City of El Paso (legal description on file with the City Clerk) has been complied with and to determine penalties if the Council Resolution has not been complied with. The owners of this property, Josie Galindo, 5850 Ridge Drive, Santa Teresa, NM 88008, Helen Knight, 5850 Ridge Drive, Santa Teresa, NM 88008, Rebecca Valles Ayon, 4701 G. T. Powers, El Paso, Texas 79924, Ricardo Valles, 405 Fred Way, Las Cruces, NM 87124, Tito Valles, Jr., 927 Versailles Drive, El Paso, Texas 79907, Oscar Valles, Jr., 8796 Kim Lane, Riverside (Pedley), CA 92509, Manuel Valles, 22042 Caminito Vino, Laguna Hills, CA 92653, Hortensia Valles Moreno, 1512 Cederdale Place, El Paso, Texas 79925, Dolores Cook 702 Perry Street, Davenport, Indiana 52801, Rosa Avalos, 10453 Chinaberry Drive, El Paso, Texas 79925, Gloria Castro, 8843 Creeland, Pico Rivera, CA 90660, Jessie Valles, C/O Gloria Castro, 8843 Creeland, Pico Rivera, CA 90660, Anna Maria Mendoza, C/O Gloria Castro, 8843 Creeland, Pico Rivera, CA 90660, Ruben Valles, C/O Gloria Castro, 8843 Creeland, Pico Rivera, CA 90660, Bobbie Valles, C/O Gloria Castro, 8843 Creeland, Pico Rivera, CA 90660, Daniel Valles, C/O Gloria Castro, 8843 Creeland, Pico Rivera, CA 90660, Johnny Joe Valles, C/O Gloria Castro, 8843 Creeland, Pico Rivera, CA 90660, have been notified of the violations at this property. Delinquent taxes in the amount of \$9,486.82.

.....
*Motion made, seconded and unanimously carried to delete the public hearing to determine if the Council Resolution of July 29, 2003, for the property located at 2213 Sea Palm Drive, in the City of El Paso (legal description on file with the City Clerk) has been complied with and to determine penalties if the Council Resolution has not been complied with. The owners of this property, MidFirst Bank, 999 N. W. Grand Blvd., Okalahoma City, OK 73118, have been notified of the violations at this property.

.....
*Motion made, seconded and unanimously carried to delete the public hearing to determine if the Council Resolution of July 29, 2003, for the property located at 113 W. Missouri Avenue, in the City of El Paso (legal description on file with the City Clerk) has been complied with and to determine penalties if the Council Resolution has not been complied with. The owners of this property, Inn-Vestor, Inc., 6060 North Central Expressway, Suite 560, #7, Dallas County, Texas 75206, have been notified of the violations at this property. Delinquent taxes in the amount of \$64,842.54.

.....
ADDITION TO THE AGENDA

Motion made, seconded and unanimously carried to move to the forefront and Regular Agenda the following:

RESOLUTION

THE CITY OF EL PASO SUPPORTS La Mujer Obrera and El Puente Community Development Corporation in their efforts to establish a comprehensive initiative that includes a **Bilingual Workforce Development Center and a Social Enterprise Center**

WHEREAS, approximately 75% of El Paso's population has identified Spanish as its principal language, and

WHEREAS, there is a direct correlation between the numbers of displaced workers and the Spanish speaking community, and

WHEREAS, the numbers of displaced workers continues to rise, and since January 2003 approximately 4,000 workers have been displaced in El Paso, and

WHEREAS, the number of displaced workers in El Paso is five times more than any other city in the United States of America, and

WHEREAS, the majority of displaced workers has not been able to reintegrate itself into the economy, and

WHEREAS, La Mujer Obrera and El Puente Community Development Corporation have accumulated more than twenty years of experience in dealing with issues related to the El Paso workforce by having created the Community Learning Center, the Worker Orientation Center, the Job Search Assistance Service and by having recently launched five social purpose businesses, all of which serve as training and entry-level employment vehicles for Spanish-speaking community members, and

WHEREAS, La Mujer Obrera and El Puente Community Development Corporation have created sixty jobs, 80% of which are held by low-income Limited English Proficient displaced workers and community members; have facilitated employment of more than 500 limited English proficient community members; have provided education and training in language, vocational skills, technology, GED, leadership and citizenship; have revitalized four abandoned buildings; have helped to generate over \$1.5 million in revenues; have attracted \$6 million in physical improvements and investments to El Paso's historic Garment District, and have provided training and consulting services on women's community and leadership development to more than 30 organizations across the country, and

WHEREAS, La Mujer Obrera and El Puente Community Development Corporation are developing a strategy that combines the development of social purpose businesses and the provision of formalized bilingual education and training, and

WHEREAS, this strategy serves as a blue print for an economic and workforce development system that catalyzes comprehensive redevelopment of the South Central neighborhood, the former Garment District, which is located in the Empowerment Zone of El Paso and whose economic base and social fabric have been eroded by the closure of dozens of employers and businesses and the departure of thousands of residents and consumers,

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council

That the City of El Paso supports La Mujer Obrera and El Puente Community Development Corporation in their pursuit of funding for the **Initiative for Bilingual Workforce Development and Social Enterprise Center**.

Representative Cook read the Resolution into the record.

Ms. Irma Montoya, Board Member of La Mujer Obrera and Intergovernmental Relationship Coordinator for El Puente Community Development Corporation, thanked the Mayor and Council Members for passing the Resolution and stated that the organizations would continue supporting the community.

Motion made by Representative Cook, seconded by Representative Austin and unanimously carried to approve the above Resolution. Representative Power was not present for the vote.

.....

*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement for Appraisal Services by and between the CITY OF EL PASO and **MARTHA GAYLE-REID** in an amount not to exceed Nineteen Thousand, Eight Hundred and No/100th Dollars (\$19,800.00), for an appraisal to establish value for the following properties:

<u>Parcel 1</u>	Part of Lot 9, Block 6, Hueco View Acres, City of El Paso, El Paso County, Texas.
<u>Parcel 2</u>	Part of Lots 8 & 9, Block 7; Lot 9, Block 8; & a portion of Harkis Road, Hueco View Acres, City of El Paso, El Paso County, Texas.
<u>Parcel 3</u>	Part of Lot 14, Block 2, Hueco View Acres, City of El Paso, El Paso County, Texas.
<u>Parcel 4</u>	Part of Lot 14, Block 2, Hueco View Acres, City of El Paso, El Paso County, Texas.
<u>Parcel 5</u>	Part of Lot 14, Block 2, Hueco View Acres, City of El Paso, El Paso County, Texas.
<u>Parcel 6</u>	Part of Lot 14, Block 2, Hueco View Acres, City of El Paso, El Paso County, Texas.
<u>Parcel 7</u>	Part of Lot 14, Block 2, Hueco View Acres, City of El Paso, El Paso County, Texas.
<u>Parcel 8</u>	Part of Lot 1, Block 2, Hueco View Acres, City of El Paso, El Paso County, Texas.
<u>Vacation Parcel</u>	Part of Lot 1, Block 3, Hueco View Acres, City of El Paso, El Paso County, Texas.

.....
*Motion made, seconded and unanimously carried to appoint Belinda Flores-Shinshillas to the Art Museum Advisory Board by Mayor Joe Wardy.

.....
*Motion made, seconded and unanimously carried to appoint Debra Hester to the Arts and Culture Advisory Board by Mayor Joe Wardy.

.....
*Motion made, seconded and unanimously carried to appoint Rene Daniel Pena to the City Employees' Pension Fund Board of Trustees by Mayor Joe Wardy.

.....
*Motion made, seconded and unanimously carried to appoint Miguel Gamino to the Information Technology Advisory Board by Mayor Joe Wardy.

.....
Motion made, seconded and unanimously carried to move to the Regular Agenda the appointment of James R. Jackson to the Information Technology Advisory Board by Representative Daniel S. Power.

Representative Cushing understood that City employees would not sit on Boards or Commissions.

Representative Power responded that he had noted that the criterion for Board Members was not noted in the Ordinance creating the Information Technology Advisory Board. He read the Ordinance language into the record.

Ms. Lisa A. Elizondo, City Attorney, stated that the Ordinance language could be amended to include the qualifications of board members if council so desired.

Representative Power moved to instruct City staff to amend the Ordinance language.

Ms. Elizondo explained that due to the manner in which the item was posted Council could not take action; however, the Legal Department would place an item on next week's City Council agenda amending the Ordinance language to include qualifications of the board members.

Representative Power moved to delete and thanked Mr. Jackson for bringing the matter to his attention.

Motion made by Representative Power, seconded by Representative Cook and unanimously carried to delete the appointment of James R. Jackson to the Information Technology Advisory Board by Representative Daniel S. Power. Representative Escobar was not present for the vote.

*Motion made, seconded and unanimously carried to appoint Raymond J. Graham to the Airport Board by Representative Vivian Rojas.

*Motion made, seconded and unanimously carried to approve installation, power, and maintenance of residential street lights at the following locations:

- A. Between 10116 & 10112 Bermuda Drive (\$899.00).
- B. Between 11169 & 11173 Voyager Cove Drive (\$1,200).
- C. Between 2120 & 2116 Villa Plata Street (\$899.00).
- D. Between 2200 & 2204 Jackie Place (\$1,200).
- E. Between 3524 & 3528 Proud Eagle Drive (\$1,200).
- F. At Saul Kleinfield Drive on existing poles, two street lights (\$1,858 total cost).

Motion made, seconded and unanimously carried to approve budget transfer BT2004-020 OFFICE OF MANAGEMENT AND BUDGET

To re-appropriate salaries as required.

Decrease	\$18,303.03	from	01010002/01101/501000	NonUnif Wages
Decrease	\$ 4,216.19	from	01010002/01101/501122	Misc Exp Accts
Decrease	\$ 326.53	from	01010002/01101/501130	FICA Med
Decrease	\$ 1,396.19	from	01010002/01101/501129	FICA City Match
Decrease	\$ 4,200.00	from	01010002/01101/501108	POS City
Decrease	\$ 35.04	from	01010002/01101/501114	Life Insurance
Decrease	\$ 130.12	from	01010002/01101/501100	Wrk's Comp
Increase	\$28,607.10	to	01010002/01101/504420	Council Spl Projects

*Motion made, seconded and unanimously carried to postpone one (1) week the discussion and action on the request of El Paso Bench Ads of El Paso, Inc. for an extension to its bus bench franchise which expires December 7, 2003. [David Escobar]

Motion made Representative Cook, seconded by Representative Cushing and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 11:50 a.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

- Section 551.071 CONSULTATION WITH ATTORNEY
- Section 551.072 DELIBERATION REGARDING REAL PROPERTY
- Section 551.073 DELIBERATION REGARDING PROSPECTIVE GIFTS
- Section 551.074 PERSONNEL MATTERS
- Section 551.076 DELIBERATION REGARDING SECURITY DEVICES

- A. City of El Paso vs. Telles Group, Inc., Cause No. 02-2869, Our File No. 02-P-01.
- B. Discussion and action on indemnification language in City Contracts.
- C. Hearing before the State Board of Plumbing Examiners.
- D. Roberto and Luz Soriano, et al vs. The City of El Paso, Cause No. 2002-5590, Our File No. 03-S-03
- E. Southside Low Income Housing Development Corporation, 03-P-02.
- F. Patricia Burgos, 02-P-04 and Southside Low Income Housing Development Corporation, 03-P-02.
- G. Authorization for Community Development Loan Restructuring, Loan Foreclosure/Lawsuits and Declaring Loan Accounts Uncollectible.

- H. Discussion and Action on Personnel Item - Edward Thompson.
I. Socorro Gomez, et al vs. The City of El Paso, et al, Cause No. EP-03-CA-0273, Our File No. 03-S-29.

Motion made by Representative Cobos, seconded by Representative Escobar and unanimously carried to adjourn the Executive Session at 1:12 p.m. and reconvene the meeting of the City Council, during which time motions were made as follows:

.....
No action was taken on City of El Paso vs. Telles Group, Inc., Cause No. 02-2869, Our File No. 02-P-01.

.....
Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried to direct **City Attorney to review indemnification language as directed by City Council and bring back for consideration any final policy.**

.....
Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried that the **City agree to the terms contained therein and that the Mayor be authorized to sign the Agreed Final Order in the matter of TEXAS STATE BOARD OF PLUMBING EXAMINERS V. THE CITY OF EL PASO, TEXAS, Cause No. 2002710002**, as recommended by the City Attorney.

.....
Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried that the City Attorney's Office be authorized to **HIRE AN EXPERT WITNESS** in the case entitled **ROBERTO AND LUZ SORIANO, et al vs. THE CITY OF EL PASO**; Cause No. 2002-5590; Our File No. 03-S-03.

.....
Motion made, seconded and carried that the City be **AUTHORIZED TO FILE SUIT OR INITIATE FORECLOSURE PROCEEDINGS ON PROPERTY** located at 705½ S. Oregon Avenue in the case of Southside Low Income Housing Development Corporation, 03-P-02, as recommended by the City Attorney.

.....
Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried that the City Attorney's Office be authorized to hire Gordon & Mott, PC., as outside counsel in the case of Patricia Burgos, 02-P-04 and Southside Low Income Housing Development Corporation 03-P-02.

.....
Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried that the City Council of the City of El Paso hereby adopts Exhibit "A", entitled Community Development Loan Authorization, providing authorization to the City Attorney's Office and the Department of Community and Human Development, in connection with (1) Loan Restructuring in Lieu of Foreclosure, (2) Loan Foreclosure/Lawsuits and (3) Declaring Loans Uncollectible; and authorizes the Mayor to sign any and all documents as appropriate and necessary in accordance with Exhibit "A", as recommended by the City Attorney.

.....
Motion made by Representative Cobos, seconded by Representative Cushing and carried that the employment contract with Edward Thompson be terminated for convenience.

Representative Cook voted Nay.

.....
Motion made by Representative Cobos, seconded by Representative Cushing and unanimously carried that the City Attorney's Office be authorized to **HIRE AN EXPERT WITNESS** in the case entitled **SOCORRO GOMEZ, et al vs. THE CITY OF EL PASO et al**; Cause No. EP-03-CA-0273; Our File No. 03-S-29.

Motion made by Representative Cushing, seconded by Representative Lozano and unanimously carried to adjourn this meeting at 1:20 p.m.

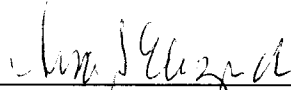
.....

APPROVED AS TO CONTENT:

APPROVED AS TO FORM:



Richarda Duffy Momsen, City Clerk



Lisa A. Elizondo, City Attorney